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Attorneys for Defendant

Trevor James Kirk

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TREVOR JAMES KIRK,

Defendant.

Case No. 24-cr-00527-SVW

**DEFENDANT KIRK'S JOINDER IN
RECOMMENDED SENTENCE AS
SET FORTH IN THE
GOVERNMENT'S
SUPPLEMENTAL SENTENCING
BRIEF**

DATE: June 2, 2025

TIME: 11:00 AM

Courtroom of the Honorable Stephen
V. Wilson

JOINDER

Mr. Kirk hereby joins in the government's analysis of the reasonableness of their proposed sentence per 18 U.S.C. § 3553(a). Mr. Kirk requests that this Court impose a term of 2-months home confinement with an increase to 300 hours of community service as well as a \$10,000 fine.

Recognizing that the statutory maximum for this misdemeanor violation is less than the new advisory guidelines calculations set forth in the Revised Presentence Investigation Report (doc. 106), Mr. Kirk objects to the 2-level upward adjustment for Obstruction of Justice pursuant to USSG §3C1.1.

As set forth in the government's Position Statement in Response to Pre-Sentence Report, Mr. Kirk's statements in his supplemental report are at worst misleading. (Doc. 94.) In *Thompson v. United States*, decided March 21, 2025—citation pending, the Supreme Court held that where the count of conviction required the government to prove a false statement, merely misleading statements will not suffice. The same analysis applies in principle to the guideline application.

Respectfully submitted,

DATED: May 30, 2025

By /s/ Edward M. Robinson

Tom Yu

Edward M. Robinson

Brian A. Robinson

Attorney for Defendant

Trevor James Kirk